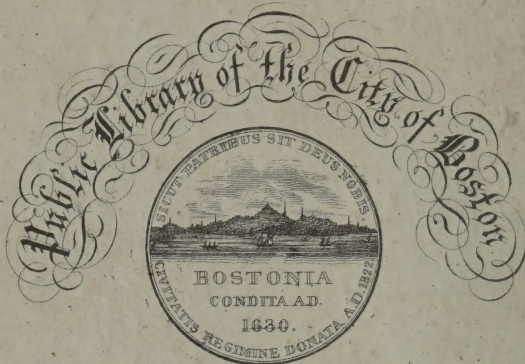




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By John Jay Esq.

Received Jan, 21, 1865.

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The Constitutional Principles of the Abolitionists, and their
Endorsement by the American People.

A LETTER

TO THE

American Anti-Slavery Society,

ON THE

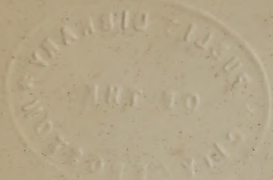
30th Anniversary of its Foundation in Philadelphia,
the 30th of December, 1833.

BY

JOHN JAY, esq.

New York.

1864.



66763

Jan. 21. 1865

John. Gay

Mr. Jay's Letter.

To Messrs. J. M. McKim *and others, Committee of the American Anti-Slavery Society:*

GENTLEMEN: It is with regret that I find myself unable to accept the invitation with which you have honoured me, to assist at the celebration of your Thirtieth Anniversary.

The term of a generation has elapsed since that eventful assemblage at Philadelphia in 1833, and we who survive are permitted to see the great objects which were then proposed in the course of rapid accomplishment.

Slavery has already ceased to have a Constitutional or legal existence in the rebel States, and the faith of the National Government and the American people has been solemnly pledged to that act by the Commander-in-Chief of our Army and Navy; and at his command also, rightfully issued under the same war power and on grounds of military necessity, the coloured people are being raised to the rank of soldiers and citizens. But we cannot overlook the fact that these objects of our life-long devotion are being effected by other arguments than the narrow constitutional means and moral suasion, to which the founders of your Society so rigidly limited its efforts.

Man proposes, but God orders; and it was ordained that the Slave Power of America, hardening its heart like its prototype of Egypt, and raising its bloody hand against the American people, to the end that it might erect a slave empire on the ruins of our Republic, should by its own act, forfeit the Constitutional guarantees by which it was protected, and should itself invite its extinguishment by the tramp of armies and the crash of battle. While the slaveholders in their madness have thus inaugurated a war in which slavery is to perish, it is to be remembered that their allies at the North persistently allured them to their doom.

The first gun aimed against Sumter, and which sounded the knell of slavery, would never have been fired but for the assurances given by Democratic leaders at the North, who believed the

masses to be as rotten as themselves, that they would assist the rebels in revolutionizing the government; and when the war had progressed for nearly two years, these rebel sympathizers foiled in their effort to convince the nation that it had no right to defend its existence, attempted to stay the National arm by discouraging volunteering at the North, and so compelled the President to call upon the black man to assist in maintaining our Constitutional integrity. How promptly that call has been responded to, how gallantly he has done his duty as a soldier at Port Hudson, Milliken's Bend and Fort Wagner, and how popular the scheme of enlisting coloured troops has become, from the simple fact that every black man who joins the army enables a white man to stay at home, are matters familiar to us all; and we can hardly fail to admire the inscrutable ways of Providence, as we wonderingly behold the abolition of slavery and the elevation of the coloured race, for which we had laboured for a quarter of a century with such small success, now being rapidly and effectually accomplished through the agency of JEFFERSON DAVIS, Mr. VALLANDIGHAM, and Gov. SEYMOUR. "He maketh," says Holy Writ, "the wrath of man to praise Him, and the remainder of wrath shall He restrain."

A time so full of excitement as the present is not the most fitting for a calm review of the history of the Society whose birth you are met to celebrate; and yet, as our work is so nearly finished, and your next decade will probably dawn upon the American continent unpolluted by the footstep of a slave, it may be well now to recall the political principles declared in the Constitution of your Society, as established at Philadelphia, and reaffirmed in the face of the malignant persecutions to which its early members were subjected. They are not to be lightly overlooked by the future historian of America; for when the story of their struggle is truly told, there will be no brighter page in American history than that which records their pure philanthropy, their intelligent patriotism, their wise statesmanship, their moral courage, and their heroic defence of Christian principle and constitutional right against the domineering power of an overwhelming and brutal majority.

If the founders of the American Anti-Slavery Society must yield to JEFFERSON DAVIS and his confreres, so far as the merit

goes of organizing a thoroughly efficient project of immediate abolition, by so much as the bayonet and the bullet, iron-clads and monitors, Greek-fire and swamp angels are more convincing arguments than slow appeals to the conscience and the reason—especially when the one is blunted and the other perverted—they need yield to none in the claim which their children will make for them, that they were the exemplars of that spirit of devotion to Christian truth and American principle, that to-day like a halo enwraps our country, and unites us in a common resolve to maintain at whatever cost, against Southern slavery and European neutrality, the unity, the greatness, and the freedom of our Republic.

I am aware that this view differs somewhat from the portrait which has been usually painted of American Abolitionists; that they have been pictured as disunionists, amalgamationists and incendiaries, anxious to interfere with slavery in defiance of the Constitution, and to incite servile insurrection without regard to humanity. But who was the painter of these darkly shadowed and distorted features? The Slave Power, disguised as a conservator of the Constitution, and attempting to escape the issue which we tendered by inventing fraudulent side issues. Now that the Slave Power is stripped of the mask under which it dared to impeach the patriotism of the Abolitionists, the American people will at their leisure review the charges which many of them have too long believed.

One quality is already accorded to the Abolitionists, even by their intelligent opponents, and that is moral courage, indomitable pluck. A handful of men, without power, wealth or official influence, they arrayed themselves against American slavery, reigning supreme in Church and State, as did the English Quakers against the British slave-trade; and although they had none other than moral weapons and an armoury of facts, the Slave Power recognized them at once, as an adversary to be feared and to be crushed; for it dreaded, as was frankly admitted, their influence not simply with the people of the North, but upon the consciences of the slaveholders themselves.

The members of your Society were compelled to meet the furious onset of the Slave Power almost from the moment of their organization. Vilified by a slaveholding President (JACKSON), whose message they answered with a protest of great dignity and

force; denounced in both Houses of Congress by slaveholders and their tools; slandered by a demoralized press; derided from the bench; sneered at by the bar, and damned from the pulpit; hooted at in political and religious conventions; tabooed in would-be-aristocratic circles; threatened with legislative pains and penalties for exercising their constitutional prerogatives; howled at by ruffian mobs, their houses sacked, their churches invaded, their presses destroyed, their liberties violated,—they maintained their integrity with undaunted front, yielding no iota of principle, but grandly fulfilling the injunction, “Stand like a beaten anvil!” Every new outrage, as they multiplied throughout the North, such as the dragging of a clergyman from his pulpit in New Hampshire, and his sentence, by a convenient magistrate, as a common brawler, to fifteen days’ hard labor, for having preached an anti-slavery sermon; or the leading of Mr. GARRISON, that early and faithful pioneer of freedom, about the streets of Boston with a rope around his body, amid the plaudits of “gentlemen of property and standing;” or the murder of the brave LOVEJOY, forerunner of the countless thousands since murdered by the same accursed power; so far from intimidating the Abolitionists, only inspired them with a sterner determination to rescue the country from the ruffianism of slavery, and they stood, and on the page of history will forever stand, the successful champions of those Constitutional rights, freedom of conscience and of speech, liberty of the press, freedom of debate, and the right of petition.

In vindicating the founders of the Society from the charges preferred against them by the slaveholders, and on the strength of which they were so bitterly persecuted—charges which were swallowed with disgraceful credulity by willing dupes, and which even now are sometimes repeated by men who lay claim to an ordinary degree of intelligence—it is necessary to refer to some historical facts, in order that the opinions of individuals or of societies at a later date may not be confounded with the principles, pledges and conduct, of the national organization formed at Philadelphia.

The principal charges on which its founders were arraigned were these:

1. That they disregarded and repudiated the Constitution of the United States.

2. That they were in favor of a dissolution of the Union.
3. That they advocated the right of Congress to abolish slavery in the States.
4. That they favored marriages between blacks and whites.
5. That they approved of and incited insurrection among the slaves.

When the Anti-Slavery Convention met at Philadelphia, my father, the late Judge WILLIAM JAY, who was prevented from attending as a delegate, urged upon them, by letter, the necessity of an explicit declaration of their political principles, to meet the baseless charges already made against them.

The first number of *The Emancipator* had shortly before announced that "constitutional restrictions, independently of other considerations, forbid all other than moral interference with slavery in the Southern States;" and the Convention incorporated three distinct propositions in the Constitution of the American Anti-Slavery Society:

1. That each State in which slavery exists has, by the Constitution of the United States, the exclusive right to legislate in regard to abolition in that State.

2. That they would endeavor, in a constitutional way, to influence Congress to put an end to the domestic Slave trade, and to abolish slavery in the District of Columbia, and likewise to prevent the extension of slavery to any State that might thereafter be admitted to the Union.

3. That the Society would never in any way countenance the oppressed in vindicating their rights by resorting to physical force.

*Under this Constitution and these distinct pledges, the Society rapidly increased in numbers, strength and influence. Its lecturers, agents, newspapers and publications aroused the country, and auxiliary societies sprang up far and near, numbering, in 1836, 527; in 1837, 1006; in 1838, 1,256; and in 1839, 1,650 auxiliaries had adopted the principles of its Constitution.

It was to crush anti-slavery effort under these clearly-defined limitations, that mobs were inaugurated in 1834, to sack churches and houses in New York, and to insult Mr. GARRISON in Boston; and "conservative meetings" were held in various Northern

cities "to consign to execration" the Abolitionists, as "abandoned knaves and hypocrites."

In 1835, the Board of your Society issued an address to the public, for the advisement of those who had been led to believe that they "were pursuing measures at variance not only with the constitutional rights of the South, but with the precepts of humanity and religion."

The address was written by Judge JAY, and was signed by ARTHUR TAPPAN, President, and also by JOHN RANKIN, WILLIAM JAY, ELIZUR WRIGHT, A. L. COX, LEWIS TAPPAN, SAM. E. CORNISH, S. S. JOSSELYN, and THEODORE S. WRIGHT. As it excited marked attention both in America and in Europe, having been widely translated and commented on the continent, and as it was the fullest official exposition of the views of the Society, you will perhaps allow me to quote briefly its several heads. They were as follows:

1. That Congress has no more right to abolish slavery in the Southern States than in the French West India Islands.

2. That the exercise of any other than moral influence to induce abolition by the State Legislatures would be unconstitutional.

3. That Congress had the right to abolish slavery in the District of Columbia, and that it was their duty to efface so foul a stain from the national escutcheon.

4. That American citizens have the right to express and publish their opinions of the Constitution, laws and institutions of any and every State and nation under heaven, and "we never intend to surrender the liberty of speech, of the press, or of conscience—blessings we have inherited from our fathers, and which we mean, so far as we are able, to transmit unimpaired to our children."

5. That they had uniformly deprecated all forcible attempts on the part of the slaves to recover their freedom.

6. That they would deplore any servile insurrection, on account of the calamities that would attend it, and the occasion it might give for increased severity.

7. That the charge that they had sent publications to the South, designed to incite the slaves to insurrection, was utterly and unequivocally false.

8. That the charge that they had sent any publications to the slaves was false.

9. That they had employed no agents in the Slave States to distribute their publications.

10. They reiterated their conviction that slavery was sinful, and injurious to the country, and that immediate abolition would be both safe and wise, and that they had no intention of refraining from the expression of such views in future.

11. They reiterated their views in reference to the elevation of the colored people.

12. They said, "We are accused of acts that tend to a dissolution of the Union, and even of wishing to destroy it. We have never calculated 'the value of the Union,' because we believe it to be *INESTIMABLE*, and that the abolition of slavery will remove the chief danger of its dissolution."

In conclusion, they said: "Such, fellow-citizens, are our principles. Are they unworthy of Republicans and of Christians?" And, after referring to the unconstitutional usurpation of the Government to protect slavery, and to prevent free discussion and the freedom of the mails, they closed with the prophetic warning: "Surely, we need not remind you that if you submit to such an encroachment on your liberties, the days of our Republic are numbered; and that although Abolitionists may be the first, they will not be the last victims offered at the shrine of arbitrary power."

As the country, under the stirring appeals and startling facts put forth by the American Society, its auxiliaries and its members, awoke to a new appreciation of the evils and dangers of slavery to the Republic as well as to the slave, some earnest Abolitionists, stung by a sense of its excessive wrong, and unwilling to await the slow remedy of moral suasion, or limited Congressional interference, sought to find some shorter method of accomplishing its destruction. Here and there one, inclined to the belief that Congress could constitutionally abolish it; others, that its very existence was unconstitutional, and should be so declared by the Supreme Court; and a few, at a later period, that it could be effected only by a dissolution of the Union.

But all of these suggestions were absolutely irreconcilable with the Constitution adopted in Philadelphia. In 1838, the late ALVAN STEWART, Esq., of Utica, attempted to change that Con-

stitution by an elaborate argument in favor of the right of Congress to abolish slavery in the States, and the proposed amendment was urged with great vigour and eloquence; but it was as vigorously resisted, as unsound in principle and inconsistent with good faith, and the attempt signally failed.

In the same year, the Massachusetts Society reconsidered some resolution that had been hastily adopted, and resolved "That Congress has no power to abolish slavery in the several States of this Union."

The same year, Mr. ELLIS GRAY LORING wrote to Judge JAY, from Boston: "I know of but one or two persons here who believe in the power of Congress over slavery in the States."

With the division that occurred a year or two later in the American Society, the removal of the old Board to Boston, and the formation in New York of the American and Foreign Anti-Slavery Society, the national unity of the organization was broken, and widely differing views began to be expressed by anti-slavery men, who did not hold to the principles declared at Philadelphia, upon the religious and political bearings of the question.

Prominent individuals divided upon the status of slavery, and the best mode of overthrowing it; and neither the Liberty party, headed by those veteran Abolitionists, GERRIT SMITH and WILLIAM GOODELL, nor WENDELL PHILLIPS, the golden-mouthed exponent of the views entertained at Boston, fairly represented the constitutional principles defined by the American Society, and adopted by nearly two thousand auxiliary associations.

But—and this is an historic fact of interest and importance—as the increasing insolence and usurpation of the Slave Power induced the conviction that if the Abolitionists had commenced the struggle to obtain freedom for the slave, the American people must continue it to preserve their own; and as with their characteristic common sense, the people devoted themselves to the task of arresting the usurpations and checking the extension of slavery, and organized for the purpose, under the wise lead of Abolitionists, in 1855, the Republican party; they incorporated into that platform, *the identical Constitutional principles on which, thirty years ago, the American Anti-Slavery Society took its stand.*

On these principles, for the holding of which we and our fathers were denounced as incendiaries and fanatics, FREMONT

was nominated, and LINCOLN was elected; and the sufficiency of those principles—the restriction of slavery extension, the abolition of slavery in the District, and of the inter-State slave trade, and the emancipation of the National Government from the controul of the Slave Power, to cripple and eventually to destroy slavery, was significantly recognized by the slaveholders themselves, when they resolved some twenty-five or thirty years ago, that the instant those principles were triumphant in the National Government, they would anticipate the overthrow of slavery, by overthrowing the Republic.

Prejudices deeply seated may obscure, perhaps for another generation, the credit due to the gentlemen whose careful action in convention, you are met to celebrate; but the candid historian will admit that they exhibited,—not a blind devotion to the cause of the slave,—but a conscientious regard to the integrity of the Constitution, and the welfare and happiness of the country. He will record that it was the Abolitionists, who, avoiding all infringement on the Constitutional rights of the slaveholders, would allow no infringement on their own: and that to them belongs the honour of vindicating the right of petition, and of maintaining against brute violence and legislative menace, freedom of speech and of the press. While he will be compelled to acknowledge that in many things they were defeated: that they opposed unsuccessfully the Seminole war and the annexation of Texas under the late rebel JOHN TYLER: that they failed in arresting that most wicked war waged by the Slave Power against Mexico, under JAMES K. POLK: and that accursed act, the Fugitive Slave Bill, under the renegade Abolitionist MILLARD FILLMORE: and the removal, under FRANKLIN PIERCE, of the ancient landmark fixed by the Missouri Compromise: he may say with truth, that they checkmated the Slave Power, under JAMES BUCHANAN, in its efforts to force slavery into Kansas, and that they for ever terminated its usurped supremacy upon the continent, when, defeating the traitors BELL and BRECKINRIDGE, they elected as President ABRAHAM LINCOLN.

Whatever errors of opinion or of action there may have been on the part of individuals or societies at a recent date, the political principles declared at Philadelphia have stood the test of time and trial, and have received the emphatic indorsement of the

American people; and the Anti-Slavery movement in the United States, with exceptions that more plainly show the rule, has been marked by statesmanlike characteristics, now crowned with success: and by a love of country that neither delay, injustice nor disappointment could impair or disturb.

Its progress was not always observed by the unobservant, and we heard occasionally that Abolition was dead; but when the hour came, that the Slave Power drunken with blood and insolent with oppression, deemed itself strong enough to destroy the Republic, anticipating an easy victory by the aid of its fellow-traitors in the North: the hour had come also, although they knew it not, when the loyal American people were educated to that point of patriotism, pluck and constitutional strength, that they were able to meet the blow, treacherously as it was given, and to return it with a vigour which is sending slavery and the rebellion to a common grave.

It is an interesting fact that, the rebel slaveholders, who still regard as their friends the Peace Democrats and conditional Unionists at the North, who veil their treason under very thin disguise: and not only the slaveholders, but the slaves, long before the Proclamation of Emancipation, foresaw the inevitable issue of the contest; and BEAUREGARD came much nearer the truth than he has sometimes done, when he forbade his rebel troops to call by any other name than "Abolitionist," every soldier who followed the old flag of his country, keeping step to the music of the Union, and ready to die in its defence.

As we recall reverently the dead upon your roll of those who met at Philadelphia, to issue what has since proven to be a second Declaration of Independence, let us remember also tenderly, our brave heroes who slain by slavery, sleep beneath the battle-fields of the Republic; and their comrades, our sons and brothers, who now maintain against that inhuman power, the integrity, the supremacy, and the honour of our country.

Always, gentlemen, most faithfully yours,

JOHN JAY.

NEW YORK, December 1st, 1864.

